

Exhibit 5

TERMED

**U.S. District Court
District of Hawaii - CM/ECF V3.04 (3/07) (Hawaii)
CIVIL DOCKET FOR CASE #: 1:03-cv-00335-HG-BMK**

Bank of Hawaii v. Lindsey, et al
Assigned to: JUDGE HELEN GILLMOR
Referred to: JUDGE BARRY M. KURREN
Demand: \$0
Cause: 28:1346 Recovery of IRS Tax

Date Filed: 06/27/2003
Date Terminated: 01/12/2004
Jury Demand: None
Nature of Suit: 870 Taxes
Jurisdiction: U.S. Government Defendant

Plaintiff**Bank of Hawaii**

represented by **Katherine G. Leonard**
Carlsmith Ball
American Savings Bank Twr
1001 Bishop St Ste 2200
Honolulu, HI 96813
523-2500
Email: kgl@carlsmith.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Marion Mae Lokelani Lindsey
also known as
Lokelani Lindsey

represented by **William C. McCorriston**
McCorriston Miller Mukai MacKinnon LLP
Five Waterfront Plaza Ste 400
500 Ala Moana Blvd
Honolulu, HI 96813
529-7300
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LEAD ATTORNEY

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Defendant

Internal Revenue Ser

*Internal Revenue Service, Department of the Treasury,
United States of America,*

represented by **Keith S. Blair**

US Department of Justice

Tax Division

PO Box 683

Ben Franklin Station

Washington, DC 20044-0683

202 307-0977

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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Counter Claimant

Marion Mae Lokelani Lindsey

also known as

Lokelani Lindsey

represented by **William C. McCorriston**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

V.

Counter Defendant

Bank of Hawaii

represented by **Katherine G. Leonard**

(See above for address)

LEAD ATTORNEY

*ATTORNEY TO BE NOTICED***Cross Claimant****Marion Mae Lokelani Lindsey***also known as*

Lokelani Lindsey

represented by **William C. McCorriston**

(See above for address)

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED*

V.

Cross Defendant**Internal Revenue Ser**represented by **Keith S. Blair**

(See above for address)

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Thomas A. Helper**

(See above for address)

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
06/27/2003	1	COMPLAINT for Interpleader; Exhibit A - C; (Summons(es) issued) (gs) (Entered: 06/30/2003)
06/27/2003	2	ORDER by Mag Judge Kevin S. Chang rule 16 conference set for 9:00 9/22/03 before Mag Judge Kevin S. Chang (gs) (Entered: 06/30/2003)
06/27/2003		FILING FEE PAID in the amount of \$ 150.00, receipt # 216608 (gs) (Entered: 06/30/2003)
06/30/2003	3	ORDER of Recusal by Judge Samuel P. King (gs) (Entered: 06/30/2003)
07/01/2003	4	Case Reassignment: Judge Mollway assigned case per random selection (gs) (Entered: 07/01/2003)
07/01/2003	5	ORDER of Recusal by Mag Judge Kevin S. Chang - referred to the Chief Judge for reassignment (gs) (Entered: 07/02/2003)

07/02/2003	6	ORDER by Judge Susan O. Mollway of recusal, reassigned to Judge Helen Gillmor (gs) (Entered: 07/02/2003)
07/02/2003	7	Case Reassignment; case reassigned to Judge Gillmore and Mag Judge Barry M. Kurren (gs) (Entered: 07/02/2003)
07/03/2003	8	RETURN and Acknowledgment OF SERVICE executed upon defendant Internal Revenue Service and the United States of America on 6/30/03 (gs) (Entered: 07/07/2003)
07/09/2003	9	Plaintiff Bank of Hawaii's EX PARTE MOTION for an Order for Deposit of Registry Account funds into an interest-Bearing Account; Affidavit of Katherine G. Leonard; Exhibits A-C; ORDER GRANTING Plaintiff Bank of Hawaii's Ex Parte Motion for an Order for Deposit of Registry Account Funds into an interest-bearing account by JUDGE HELEN GILLMOR; Certificate of Service by plaintiff Bank of Hawaii (gs) Modified on 08/26/2003 (Entered: 07/10/2003)
07/09/2003	10	RETURN OF SERVICE executed upon defendant Marion Mae Lokelani Lindsey on 7/2/03 (gs) (Entered: 07/10/2003)
08/25/2003	11	First AMENDED COMPLAINT for Interpleader [1-1]; Exhibits A-E; Summons issued by plaintiff Bank of Hawaii (gs) (Entered: 08/26/2003)
08/27/2003	12	Plaintiff Bank of Hawaii's Ex Parte Motion for an Order for Deposit of Registry Account Funds into an interest-Bearing Account; Affidavit of Katherine G. Leonard; Exhibits A-C; ORDER GRANTING plaintiff Bank of Hawaii's Ex Parte Motion for an Order for Deposit of Registry Account Funds into an interest-Bearing Account by JUDGE HELEN GILLMOR (gs) (Entered: 08/28/2003)
08/28/2003	13	Return and ACKNOWLEDGEMENT OF SERVICE by defendant Internal Revenue Ser and USA on 8/27/03 (gs) (Entered: 08/28/2003)
08/29/2003	14	NOTICE OF MOTION; United States' Motion to dismiss First Amended Complaint ; Memorandum in Support of United States' Motion to Dismiss First Amended Complaint; Certificate of Service set for 9:45 11/17/03 before Judge Helen Gillmor (gs) (Entered: 09/02/2003)
09/15/2003	15	EO: Continued: [Rule 16 scheduling conference] from 9/22/03 9:00 a.m. to 1/12/04 9:00 a.m. before BMK by Mag Judge Barry M. Kurren (gs) (Entered: 09/17/2003)
09/25/2003	16	Defendant Marion Mae Lokelani Lindsey, aka Lokelani Lindsey's ANSWER to First Amended Complaint for Interpleader filed on August 25, 2003 [11-1]; Defendant Marion Mae Lokelani Lindsey, aka Lokelani Lindsey's COUNTERCLAIM against plaintiff Bank of Hawaii; Defendant Marion Mae Lokelani Lindsey, aka Lokelani Lindsey's CROSS-CLAIM against defendants Internal Revenue Service, Department of the Treasury, United States of America; Certificate of Service (gs) (Entered: 09/25/2003)

09/25/2003	16	CROSSCLAIM by defendant Marion Mae Lokelani Lindsey against defendant Internal Revenue Ser (gs) (Entered: 09/25/2003)
10/16/2003	17	NOTICE OF MOTION and motion by defendant USA to dismiss cross-claim ; memorandum in support of motion; certificate of service - set for 9:45 11/17/03 before Judge Helen Gillmor (afc) (Entered: 10/17/2003)
10/27/2003	18	Plaintiff Bank of Hawaii's ANSWER TO COUNTERCLAIM of Defendant Marion Mae Lokelani Lindsey, AKA Lokelani Lindsey filed September 25, 2003; Certificate of Service [16-2] by counter-defendant Bank of Hawaii (gs) (Entered: 10/28/2003)
10/29/2003	19	Plaintiff Bank of Hawaii's MEMORANDUM in opposition to United States' motion to dismiss First Amended Complaint filed August 29, 2003; Declaration of Gordon D. Nelson; Declaration of Katherine G. Leonard; Exhibits 1 to 6; certificate of service [14-1] (gs) (Entered: 10/30/2003)
10/30/2003	20	Defendant Marion Mae Lokelani Lindsey aka Lokelani Lindsey's Opposition to United State's motion to dismiss First Amended Complaint, Filed August 29, 2003; Certificate of Service [14-1] (gs) (Entered: 10/31/2003)
10/30/2003	21	Defendant Marion Mae Lokelani Lindsey aka Lokelani Lindsey's opposition to United State's motion to dismiss cross-claim, filed October 16, 2003; certificate of service [17-1] (gs) (Entered: 10/31/2003)
11/17/2003	22	EP: USA's Motion to Dismiss First Amended Complaint - USA's Motion to Dismiss Cross-Claim; The motions are taken under submission pending global settlement of the case; The parties have agreed to file a stipulation for dismissal by December 31, 2003 [17-1], [14-1] (Ct Rptr : Stephen Platt) by Judge Helen Gillmor (gs) (Entered: 11/19/2003)
01/12/2004	23	STIPULATION to Disburse Funds and Dismiss all Claims with prejudice and ORDER by Judge Helen Gillmor : terminating case (gs) (Entered: 01/17/2004)

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